

# EXHIBIT A

**ZAVODNICK, ZAVODNICK & LASKY, LLC**

Ryan S. Zavodnick, Esquire

Attorney Id: 91037

Todd A. Lasky

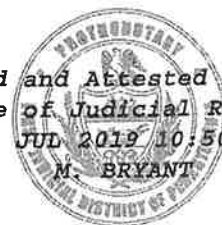
Attorney Id: 87786

123 S. Broad Street, Suite 1220

Philadelphia, PA 19109

215-875-7030

Filed and Attested by the  
Office of Judicial Records  
02 JUL 2019 10:50 am  
M. BRYANT



ATTORNEY FOR PLAINTIFF  
THIS IS A MAJOR JURY MATTER  
JURY OF 12 DEMANDED

ANTHONY CHESTNUT and JANET	:	PHILADELPHIA COUNTY
CHESTNUT, h/w	:	COURT OF COMMON PLEAS
3513 N 18 <sup>th</sup> Street	:	
Philadelphia, PA 19140	:	CIVIL DIVISION
	:	
v.	:	CIVIL ACTION - LAW
	:	
PETSMART, INC.	:	JURY TRIAL DEMANDED
4640 E Roosevelt Blvd.	:	
Philadelphia, PA 19124	:	CASE No.:
	:	

**NOTICE**

You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this complaint and notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the complaint or for any other claim or relief requested by the plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

PHILADELPHIA BAR ASSOCIATION  
LAWYER REFERRAL AND INFORMATION SERVICE  
1101 MARKET STREET, 11<sup>TH</sup> FLOOR  
PHILADELPHIA, PA 19107  
TELEPHONE: (215) 238-6300

**AVISO**

Le han demandado a usted en la corte. Si usted quiere defenderse de estas demandas expuestas en las paginas siguientes, usted tiene veinte (20) dias de plazo al partir de la fecha de la demanda y la notificacion. Hace falta asentar una comparencia escrita o en persona o con un abogado y entregar a la corte en forma escrita sus defensas o sus objeciones a las demandas en contra de su persona. Sea avisado que si usted no se defiende, la corte tomará medidas y puede continuar la demanda en contra suya sin previo aviso o notificación. Además, la corte puede decidir a favor del demandante y requiere que usted cumpla con todas las provisiones de esta demanda. Usted puede perder dinero o sus propiedades u otros derechos importantes para usted.

LLEVE ESTA DEMANDA A UN ABOGADO INMEDIATA-MENTE. SI NO TIENE ABOGADO O SINO TIENE EL DINERO SUFICIENTE DE PAGAR TAL SERVICIO, VAYA EN PERSONA O LLAME POR TELEFONO A LA OFICINA CUYA DIRECCIÓN SE ENCUENTRA ESCRITA ABAJO PARA AVERIGUAR DONDE SE PUDE CONSEGUIR ASISTENCIA LEGAL.

ASOCIACIÓN DE LICENCIADOS DE FILADELPHIA  
SERVICIO DE REFERENCIA E INFORMACIÓN  
LEGAL  
1101 MARKET STREET, 11<sup>TH</sup> FLOOR  
PHILADELPHIA, PA 19107  
TELÉFONO: (215) 238-6300

### CIVIL ACTION

1. Plaintiff, Anthony Chestnut, is a citizen of the Commonwealth of Pennsylvania, residing at 3513 N 18<sup>th</sup> Street, Philadelphia, PA 19140.

2. Plaintiff, Janet Chestnut, is a citizen of the Commonwealth of Pennsylvania, residing at 3513 N 18<sup>th</sup> Street, Philadelphia, PA 19140.

3. Defendant, Petsmart, Inc., is, on information and belief, a Delaware corporation with a place of business located at 4640 E Roosevelt Boulevard, Philadelphia PA 19124, and regularly conducts business in the Commonwealth of Pennsylvania and the County of Philadelphia.

4. All of the acts alleged to have been done or not done by the Defendant were done or not done by the Defendant, their agents, servants, workmen, and/or employees, acting in the course and scope of their employment for and on behalf of said Defendant.

5. At all times material to Plaintiff's cause of action, the Defendant, Petsmart, Inc. was the owner, possessor, maintainer and in control of a certain parcel of real estate located at 4640 E Roosevelt Boulevard, Philadelphia PA 19124.

6. On or about October 29, 2017, at approximately 11:00 a.m., the Plaintiff, Anthony Chestnut, was carefully and prudently walking in the vestibule of Defendant, Petsmart, Inc.'s property located at 4640 E Roosevelt Boulevard, Philadelphia PA 19124, when he was caused to slip, trip, stumble and fall as a result of a dangerous condition of the floor, which consisted of a wet foreign substance which made the floor unreasonably slippery.

7. The wet foreign substance which caused the Plaintiff to slip, trip, stumble and fall was caused by individuals and their pets entering the aforesaid premises and tracking in water to the premises from the outside due to the weather conditions, and/or from pet accidents, which

Defendant knew about, or should have known about, yet Defendant permitted it to exist for an unreasonably long period of time in a dangerous condition without correcting same.

8. The aforesaid defective condition created a reasonably foreseeable risk that a business invitee while walking would be caused to slip, trip, stumble and fall and sustain injury and Defendant herein had actual notice or could reasonably have been charged with notice under the circumstances of the likelihood of a dangerous condition existing at the time of the accident with such notice available to Defendant at a time sufficiently prior to the accident to have taken measures to protect against same.

9. At all times material to Plaintiff's cause of action, Plaintiff was a business invitee of Defendant.

10. As a result of the aforesaid accident, Plaintiff has sustained serious, painful and permanent injuries to his neck and back.

11. As a result of the aforesaid accident, Plaintiff has suffered pain, discomfort, frustration, embarrassment, loss of enjoyment of life's pleasures and an inability to attend to usual and daily activities and will continue to suffer for an indefinite time into the future, to his great detriment.

12. As a result of the aforesaid accident, Plaintiff has suffered a loss of earnings and impairment of earning capacity, to his great detriment and loss.

13. As a result of the aforesaid accident, Plaintiff has sought medical treatment in and about an effort to cure himself of his injuries and has incurred medical expense, to his great detriment and loss, and may continue to require medical treatment for an indefinite time in the future, to his great detriment and loss.

**COUNT I - NEGLIGENCE**

**ANTHONY CHESTNUT V. PETSMART, INC.**

14. Plaintiffs incorporate by reference all allegations of this Complaint as if same were set forth at length.

15. The aforesaid accident and resulting injuries and damages sustained by Plaintiff was caused as a direct and proximate result of the negligence and/or carelessness of the Defendant herein, its agents, servants and/or employees, which consisted of the following:

(a) failing to properly and adequately inspect, discover and make safe a dangerous condition of the premises which constituted a slipping hazard for business invitees upon said premises;

(b) failing to warn of the dangerous condition which consisted of a slippery wet foreign substance on the floor of Defendant's premises;

(c) failing to take all measures necessary under the circumstances to protect business invitees upon Defendant's premises from a foreseeable risk of injury;

(d) failing to replace, repair or otherwise make the floor of Defendant's premises safe for business invitees by eliminating the slippery wet foreign substance;

(e) failing to exercise reasonable care to discover the dangerous condition of the floor of Defendant's premises;

(f) negligence with respect to maintenance of Defendant's property, in that the dangerous condition was known, or should have been known to Defendant, yet Defendant permitted it to exist for an unreasonably long period of time in a dangerous condition without correcting same.

(g) failing to comply with applicable ANSI/NFSI standards, including ANSI/NFSI B101.6-2012.

16. Accordingly, Defendant herein is liable to Plaintiff in an amount in excess of Fifty Thousand Dollars (\$50,000.00) to be determined at the time of trial.

WHEREFORE, Plaintiffs herein hereby demands judgment in his favor and against Defendant herein, in an amount in excess of Fifty Thousand Dollars (\$50,000.00), together with all costs, interest and damages legally appropriate.

## **COUNT II – LOSS OF CONSORTIUM**

### **JANET CHESTNUT V. PESTMART, INC.**

17. Plaintiffs incorporate by reference all allegations of this Complaint as if same were set forth at length.

18. At all times material hereto Plaintiff, Janet Chestnut, was the lawful wife of Plaintiff, Anthony Chestnut.

19. As a direct and proximate result of Defendant's negligence and/or carelessness causing the serious and permanent injuries of Plaintiff, Anthony Chestnut, Plaintiff, Janet Chestnut has been caused to suffer the loss of services, society and companionship of her husband which will continue indefinitely into the future.

WHEREFORE, Plaintiffs herein hereby demands judgment in her favor and against Defendants herein, in an amount in excess of Fifty Thousand Dollars (\$50,000.00), together with all costs, interest and damages legally appropriate.

**ZAVODNICK, ZAVODNICK & LASKY, LLC**

**BY: \_\_\_\_\_/s/**  
**RYAN S. ZAVODNICK, ESQUIRE (91037)**  
**TODD A. LASKY (87786)**  
**123 S. Broad Street – Suite 1220**  
**Philadelphia, PA 19109**  
**215-875-7030**  
**Attorneys for Plaintiff**

**VERIFICATION**

I, ANTHONY CHESTNUT, hereby state that I am the plaintiff in this action and that the information contained in the foregoing Complaint is true and correct to the best of my knowledge, information and belief. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S.A. § 4904 relating to unsworn falsification to authorities.

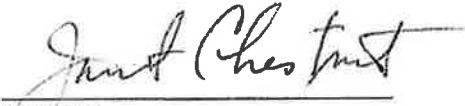


ANTHONY CHESTNUT



**VERIFICATION**

I, JANET CHESTNUT, hereby state that I am the plaintiff in this action and that the information contained in the foregoing Complaint is true and correct to the best of my knowledge, information and belief. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S.A. § 4904 relating to unsworn falsification to authorities.

  
\_\_\_\_\_  
JANET CHESTNUT